

REMARKS**Claim Rejections Under 35 U.S.C. § 112**

In response to the Restriction Requirement mailed May 9, 2006, Applicant elected Group I, claims 1-4 and 6-14, without traverse. Applicant affirms the election and further cancels claims 15-18 and 20 and non-elected subject matter. Applicant reserves the right to reintroduce the non-elected subject matter in one or more divisional applications at a future date.

The Office Action states that claims 1, 4, 6 and 13 are pending, but indicates that claims 1-4 and 6-14 are rejected. Applicant thus believes that the listing of pending claims is in error and that all claims of Group I are currently pending. Applicant notes that claim 1 is generic to all remaining claims of Group I.

Claim Rejections Under 35 U.S.C. § 112

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Office Action objected to the term “relative proximity” as not being defined in the claim or the Specification, and not providing a standard for ascertaining a requisite degree. Office Action, page 2, section 2.

Applicant contends that there was no cause to define the term “relative proximity” in the claims or the Specification as Applicant was using the term consistent with its ordinary meaning, i.e., referring to a relative degree of closeness. However, for clarity, Applicant has amended claim 1 to use the term “relative distance” in place of “relative proximity.” The concept of “relative distance” is described in at least paragraph 0057 of the Specification. As used in the Specification and claim 1, the term “relative distance” describes the concept that between any two of the network devices, one can determine which is deemed to be a shorter distance to the reference point. Claim 1 does not require an indication of how much closer one device is to the reference point than another device, but merely an indication of which device is deemed to be closer to the reference point. Applicant contends that the standard for ascertaining a requisite degree of closeness is only whether the representations of the network devices provide an indication, between any two of the network devices, as to which of those devices is deemed to be less distant from the reference point.

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph, and allowance of claim 1.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-4 and 6-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogier et al. (U.S. Patent No. 6,845,091 B2) in view of Sandhu et al. (U.S. Patent No. 6,867,733 B2). Applicant respectfully traverses.

The Office Action states that Ogier et al. teaches a dynamic map of a wireless network depicting locations of the network devices relative to a reference point. Office Action, page 3, last paragraph. Applicant contends this is a mischaracterization of the cited reference. Location is a physical attribute, not a logical attribute. The Office Action equates Ogier et al.'s dynamic topology changes with Applicant's claimed dynamic map. Office Action, page 12, section C. However, Applicant is clearly claiming mapping of physical location, and not the mere logical connectivity, i.e., communication paths, of Ogier et al. Applicant has expressly differentiated physical mapping from logical mapping. Specification, paragraph 0020. Applicant therefore contends that it is a mischaracterization of Ogier et al. to equate its logical mapping with Applicant's physical mapping.

Claim 1 requires that the representation of the first network device requesting a service on the network is highlighted to differentiate it from representations of other network devices. In addressing this limitation, the Office Action points out that Ogier et al. lists a variety of devices, e.g., laptop computers, desktop computers, wireless telephones, etc., that can participate as nodes 18 in its subnet 10. Office Action, page 4, last paragraph. However, there is no contention by the Office that any one of these devices requesting a service on Ogier et al.'s network is highlighted differently when it is requesting a service. As recited in claim 1, the first network device must be requesting a service, not merely capable of requesting a service. Applicant therefore contends that this limitation is not met by Ogier et al. as the reference does not provide any highlighting of these nodes when they are actively requesting a service. Applicant further contends that Ogier et al. in combination with Sandhu et al. also does not teach or suggest this limitation as neither references discloses highlighting a representation of a network device

requesting a service on the network to differentiate it from representations of other network devices.

Claim 1 further requires that the representation of the second network device is highlighted to differentiate it from representations of other network devices that are incapable of providing the service requested by the first network device. In addressing this limitation, the Office Action claims that Ogier et al. discloses that the client user launches a web browser to communicate with a web server on the Internet after establishing an Internet connection. Office Action, page 5, first paragraph. Applicant contends that this functionality of Ogier et al. has nothing to do with highlighting a representation of a second network device or taking into account the capability of other network devices to provide the requested service, and therefore cannot teach or suggest highlighting the second network device to differentiate it from representations of other network devices that are incapable of providing the service being requested by the first network device. Again, the secondary reference of Sandhu et al. does not teach or suggest this limitation as it does not discuss highlighting of device representations.

Furthermore, the secondary reference of Sandhu et al. is brought in to cure an admitted deficiency of Ogier et al. in that Ogier et al. does not teach that representations of network devices provide an indication of at least a relative proximity between their respective network device and the reference point. Office Action, page 5, second paragraph. However, Ogier et al. is not concerned with, and gains no benefit from, knowing locations of its network devices as it is concerned with maintaining communications with a mobile device as it moves from one subnet to another, or establishing communications with a mobile device as it enters a subnet. *See* Ogier et al., column 3, lines 7 12. As such, Applicant contends there is no motivation or suggestion to modify the primary reference of Ogier et al. to add the location stamps of Sandhu et al. as knowledge of location is irrelevant to the invention and disclosure of the primary reference of Ogier et al. The Office Action states that one would be motivated to provide an indication of relative proximity between respective network devices and a reference point to allow notification of the requestor. Office Action, page 6, first paragraph. However, there is no indication as to what purpose such notification would serve in establishing and maintaining communication between a network and a network device as taught by Ogier et al. Secondly, the Office Action identifies Ogier et al.'s subnets 10 or 20 as corresponding to Applicant's reference

point as used in its claims. Office Action, page 3, last line through page 4, line 2. If the Office defines Ogier et al.'s subnet 10 or 20 to correspond to Applicant's reference point, the combination of Sandhu et al. with Ogier et al. would still fail to provide an indication of a relative distance between a network device and the reference point as all devices within a subnet would have the same distance to the reference point as they are all contained within the reference point, regardless of where they are physically located.

In view of the foregoing, Applicant contends that the cited references, taken either alone or in combination, fail to teach or suggest each and every limitation of Applicant's claim 1. As claims 2-4 and 6-14 include all patentable limitations of claim 1, these claims are also believed to be allowable. Applicant thus respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a), and allowance of claims 1-4 and 6-14.

CONCLUSION

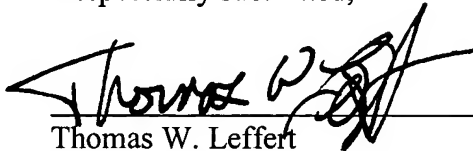
Claims 15-18 and 20 are canceled hereby. Claim 1 is amended herein. Claims 1-4 and 6-14 are currently pending.

In view of the above remarks, Applicant believes that all pending claims are in condition for allowance and respectfully requests a Notice of Allowance be issued in this case. Please charge any further fees deemed necessary or credit any overpayment to Deposit Account No.08-2025.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2204.

Respectfully submitted,

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